

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |   |                      |                |
|--|---|----------------------|----------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number   | 10/827,107     |
|  |   | Filing Date          | April 19, 2004 |
|  |   | First Named Inventor | Jim Bagley     |
|  |   | Group Art Unit       | 3765           |
|  |   | Examiner Name        |                |
| Total Number of Pages in This Submission (including this sheet)                            | 7 | Attorney Docket No.  | 2953.GRAC.PT   |

| ENCLOSURES (check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Appeal Communication:<br><input type="checkbox"/> Appeal Notice<br><input type="checkbox"/> Appeal Brief<br><input type="checkbox"/> Reply Brief<br><input type="checkbox"/> Assignment with Cover Sheet<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Check in the amount of \$____<br><input checked="" type="checkbox"/> Credit card authorization in the amount of \$523.00<br><input checked="" type="checkbox"/> Declaration & Power of Attorney<br><input type="checkbox"/> Drawings ____ sheets<br><input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input type="checkbox"/> Extension of Time Request ____ month<br><input checked="" type="checkbox"/> Fee Calculation Table<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form 1449<br><input type="checkbox"/> Copies of IDS References<br><input type="checkbox"/> Issue Fee Transmittal & Advance Order | <input type="checkbox"/> Maintenance Fee Transmittal ____ year<br><input checked="" type="checkbox"/> Missing Parts Response<br><input type="checkbox"/> Notification of Change of Attorney Address & Docket Number<br><input checked="" type="checkbox"/> Return Postcard<br><input type="checkbox"/> Revocation & Power of Attorney<br><input type="checkbox"/> Status Inquiry<br><input type="checkbox"/> Other: |
| Remarks   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT  |   |      |          |
|--|---|------|----------|
| Attorney for Applicant   | David W. O'Bryant, Registration No. 39,793<br>MORRISS O'BRYANT COMPAGNI, P.C.<br>136 South Main Street, Suite 700<br>Salt Lake City, Utah 84101<br>(801) 478-0071 telephone; (801) 478-0076 facsimile |      |          |
| Signature  |   | Date | 10/28/04 |
| CERTIFICATE OF MAILING UNDER 37 CFR § 1.8  |   |      |          |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |   |      |          |
| Typed or Printed Name  | David W. O'Bryant   |      |          |
| Signature  |   | Date | 10/28/04 |

# **FEE TRANSMITTAL** for FY 2004

Patent fees are subject to annual revision.

NOV 02 2004  
JCI30  
OFFICE  
INVENT & TRADE MARKS

Complete if Known

Application Number 10/827,107  
Filing Date April 19, 2004  
First Named Inventor Jim Bagley  
Examiner Name  
Group Art Unit 3765  
Attorney Docket No. 2953.GRAC.PT

☒ Applicant claims small entity status, see 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**523.00**

## **METHOD OF PAYMENT (check all that apply)**

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account

**50-0881**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except the filing fee to the above-identified deposit account.

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid        |
|--------------|----------|--------------|----------|------------------------|-----------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |                 |
| 1001         | 790      | 2001         | 395      | Utility filing fee     | 395             |
| 1002         | 350      | 2002         | 175      | Design filing fee      |                 |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |                 |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |                 |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |                 |
| SUBTOTAL (1) |          |              |          |                        | (\$) <b>395</b> |

### **2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | 27           | 20**           | 7        |
| Independent        | 2            | 3**            | 0        |
| Multiple Dependent |              |                |          |

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                         |
| 1203         | 300      | 2203         | 150      | Multiple dependent claim, if not paid                     |
| 1204         | 88       | 2204         | 44       | **Reissue independent claims over original                |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |

\*\* or number previously paid, if greater

SUBTOTAL (2) (\$)**63.00**

## **FEE CALCULATION (continued)**

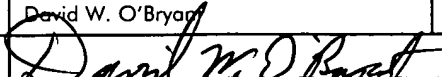
| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  | 65       |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 430      | 2252         | 215      | Extension for reply within second month                                    |          |
| 1253         | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254         | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255         | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1401         | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402         | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403         | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive -unavoidable  |          |
| 1453         | 1,370    | 2453         | 685      | Petition to revive -unintentional  |          |
| 1501         | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502         | 490      | 2502         | 245      | Design issue fee   |          |
| 1503         | 660      | 2503         | 330      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR §1.129(a))               |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

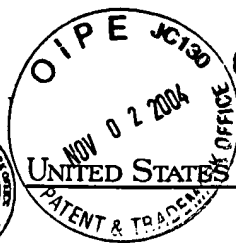
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**65.00**

## **SUBMITTED BY**

|                   |   |                  |          |           |                |
|-------------------|---|------------------|----------|-----------|----------------|
| Name (Print/Type) | David W. O'Bryan  | Registration No. | 39,793   | Telephone | (801) 478-0071 |
| Signature         |  | Date             | 10/28/04 |           |                |

IFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/827,107         | 04/19/2004             | Jim Bagley            | 2953.GRAC.PT           |

26986  
 MORRISS O'BRYANT COMPAGNI, P.C.  
 136 SOUTH MAIN STREET  
 SUITE 700  
 SALT LAKE CITY, UT 84101

CONFIRMATION NO. 1447

## FORMALITIES LETTER



\*OC000000013724986\*

Date Mailed: 09/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$63** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

11/03/2004 CCHAU1 00000005 10827107

Total additional fee(s) required for this application is **\$513** for a Small Entity

|            |           |
|------------|-----------|
| 01 FC:2001 | 395.00 OP |
| 02 FC:2051 | 65.00 OP  |
| 03 FC:2202 | 63.00 OP  |

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$63**

- **\$63** for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

B.H.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE